

REMARKS

Applicants have carefully reviewed the Application in light of the Final Office Action mailed May 31, 2006 ("Office Action"). At the time of the Office Action, Claims 1-5, 7, 9-13, 16-27, and 29-40 were pending and stand rejected in the Application. Applicants respectfully request reconsideration of the pending claims and favorable action in this case.

Section 103 Rejections

The Examiner rejects Claims 1, 3, 10, 16, 23, 25, 30, 34-37, and 38-40 under 35 U.S.C. §103(a), as being unpatentable over U.S. Patent No. 6,965,947 issued to Hild et al. (hereinafter "*Hild*") in view of U.S. Patent No. 6,785,223 issued to Korpi, et al. (hereinafter "*Korpi*"). "To support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed invention or the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references." M.P.E.P. §706.02(j) (citing *Ex parte Clapp*, 227 U.S.P.Q. 972, 973 (Bd. Pat. App. & Inter. 1985)). Applicants respectfully submit that the Examiner does not present either to support the rejection under 35 U.S.C. § 103(a).

Applicants respectfully submit that *Hild* and *Korpi*, alone or in combination, fail to disclose, teach, or suggest, expressly or inherently, each limitation recited in Applicants' Claims 1, 3, 10, 16, 23, 25, 30, 34-37, and 38-40. For example, *Hild* does not disclose, teach, or suggest "communicating protocol capabilities to the station in response to initiation of the call." Instead, *Hild* only discloses selecting "a transcoder in response to receiving a request for content. The process begins by receiving a request from a client (step 600)." Col. 5, ll. 54-56. Furthermore, the request only includes "a [document type definition], an application, a device, and a user in addition to an identification of the content desired by the client." Col. 5, ll. 57-59. *Korpi* does not account for this deficiency, and the Examiner does not make any assertions to the contrary. As another example, *Korpi* does not disclose, teach, or suggest "initiating establishment of a second link with the transcoder to enable media exchange with the station using the protocol capability of the transcoder." *Korpi* discloses that "[p]rimary and secondary gatekeepers (104a, 106a) establish a supervisory link (1b) with one another

while the media connection is set up between client terminals (112a, 114a).” *Abstract*. The supervisory link provides for sending keep-alive messages “so that the [secondary] gatekeeper GK2 can monitor if the [primary] gatekeeper GK1 fails.” Col. 5, ll. 53-56. The supervisory link may also provide for the “exchange [of] information concerning calls in progress” that “may include sending and receiving parties, terminal capabilities, data formats, and the like” Col. 6, ll. 19-24. *Hild* does not account for this deficiency, and the Examiner does not make any assertions to the contrary. Therefore, Applicants respectfully request reconsideration and allowance of independent Claim 1 and its dependents.

Independent Claims 16, 23, 30, 34-36, and 38-40 each recite certain limitations that, for reasons substantially similar to those discussed with reference to independent Claim 1, *Hild* and *Korpi*, alone or in combination, do not disclose, teach, or suggest. Therefore, Applicants respectfully request reconsideration and allowance of independent Claims 16, 23, 30, 34-36, and 38-40 together with their dependents.

The Examiner rejects Claims 2, 4-5, 7, 9, 11-13, 17-22, 24, 26-27, 29, and 31-33 under 35 U.S.C. §103(a), as being unpatentable over *Hild* and *Korpi* in view of U.S. Patent No. 6,731,625 issued to Eastep et al. (hereinafter “*Eastep*”). Applicants respectfully submit that the combination fails to disclose, teach, or suggest the limitations recited in Applicants’ claims.

First, Claims 2, 4-5, 7, 9, 11-13, 17-22, 24, 26-27, 29, and 31-33 incorporate limitations of their respective independent claims, which Applicants have shown to be allowable. For at least this reason, Claims 2, 4-5, 7, 9, 11-13, 17-22, 24, 26-27, 29, and 31-33 are allowable over the prior art.

Second, *Hild* and *Korpi*, alone or in combination, fail to disclose, teach, or suggest each and every limitation of Claim 1. These deficiencies are not cured by combining *Hild* and *Korpi* with *Eastep*. Accordingly, Applicants respectfully request reconsideration of Claims 2, 4-5, and 7, because they depend from Claim 1, which has been shown to be allowable.

Similarly, independent Claims 16, 23, 30, and 36 incorporate limitations that *Hild* and *Korpi*, alone or in combination, fail to disclose, teach, or suggest as discussed above with reference to independent Claim 1. Therefore, the combination of *Hild*, *Korpi*, and *Eastep*

also falls short of disclosing, teaching, or suggesting each and every limitation recited in Applicants' claims. Therefore, Applicants respectfully request reconsideration and allowance of Claims 9, 11-13, 17-22, 24, 26-27, 29, and 31-33 because they depend from Claims 16, 23, 30, and 36, which have been shown as allowable. Applicants respectfully request reconsideration and allowance of all pending claims.

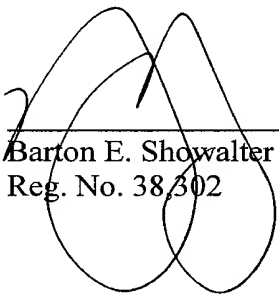
CONCLUSION

Applicants have now made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for all other reasons clear and apparent, Applicants respectfully request reconsideration and allowance of the pending claims.

Applicants believe that no fee is due. If this is not correct, the Commissioner is hereby authorized to charge any fees or credit any overpayment to Deposit Account No. 02-0384 of Baker Botts, L.L.P.

If there are matters that can be discussed by telephone to advance prosecution of this application, Applicants invite the Examiner to contact its attorney Barton E. Showalter at (214) 953-6509.

Respectfully submitted,
BAKER BOTTS L.L.P.
Attorneys for Applicants



Barton E. Showalter
Reg. No. 38,302

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Customer No. **05073**